

Martin K. Deniston (State Bar No. 106737)
Diana M. Estrada (State Bar. No. 212702)
**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**
555 South Flower Street, Suite 2900
Los Angeles, California 90071
Telephone: (213) 443-5100
Facsimile: (213) 443-5101

Attorneys for Defendant
Coudert Brothers LLP and Defendants identified in Exhibit 1

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SENORX, INC.,

Plaintiff,

v.

COUDERT BROTHERS, LLP, and
DOES 1 – 500,

Defendants.

Case No: C 07-01075 SC

**DECLARATION OF DIANA M.
ESTRADA IN SUPPORT OF
DEFENDANTS' NOTICE OF AND
MOTION TO TRANSFER VENUE
PURSUANT TO 28 U.S.C. §1412**

**FILED CONCURRENTLY WITH
DEFENDANTS' MOTION**

I, DIANA M. ESTRADA, declare as follows:

1. I am an attorney at law, duly licensed to practice as such before all the courts of the State of California and I am an associate in the law offices of WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP attorneys of record herein for Defendants Coudert Brothers LLP, Charles E. Aster, Steven H.

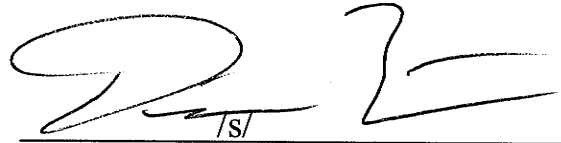
1 Becker, Philippe Bennett, Pamela T. Church, Charles H. Critchlow, Edmund S.
2 Cohen, Jeffrey E. Cohen, James C. Colihan, William K. Coulter, Richard N. Dean,
3 Richard De Palma, Robert L. Eisen, Joseph Farrell, Kay Georgi, Tara K. Giunta,
4 Kevin W. Goering, Deborah Goldstein, Michael J. Hagan, Robert E. Hanlon,
5 Gerard V. Hannon, Andrew Hedden, Janet Hernandez, Stephen M. Hudspeth, W.
6 Michael Kelly, Frederick P. Konta, George J. Martin, Jr., Brian McGunigle, Barry
7 Metzger, Owen Nee, Marilyn S. Okoshi, Richard M. Ornitz, Kenneth R. Page,
8 Robert F. Pietrowski, Jr., Darrell Prescott, Clyde E. Rankin, III, Richard Reilly,
9 Thomas Rice, Olga Sirodova, James B. Sitrick, Roger D. Stark, Edward H.
10 Tillinghast, III, Charles H. Wagner, Roger B. Wagner, Christopher M. Wells,
11 Anthony Williams, Mary F. Voce, John M. Gurley, and Carol B. Stubblefield.

12
13 2. I have personal knowledge of the matters set forth herein, except as to
14 those matters stated on information and belief, and as to those matters, I believe
15 them to be true. If called to testify, I could competently testify to the matters stated
16 herein.

17
18 3. This declaration is submitted in support of the Defendants' Motion to
19 Transfer Venue Pursuant to 28 U.S.C. §1412.

20
21 4. Attached hereto as Exhibit "A" is a true and correct copy of the Proof
22 of Claim filed by SenoRx on January 31, 2007.

1 I declare under penalty of perjury under the laws of the state of California
2 that the foregoing is true and correct. Executed this 11th day of July 2007, at Los
3 Angeles, California.
4

5 
6 /s/

7 Diana M. Estrada

8 Declarant
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

Case No.: C 07-01075 SC

SENORX V. COUDERT BROTHERS LLP AND DOES 1 - 500

EXHIBIT “A”

**of Declaration of Diana M. Estrada in Support of
defendants’ Motion to Transfer Venue Pursuant to 28
U.S.C. §1412**

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

PROOF OF CLAIM

Debtor Name Coudert Brothers LLP		Case Number 06-12226	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.			
Name of Creditor (The person or other entity to whom the debtor owes money or property): SENORX INC		<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Name and Address where notices should be sent: SENORX INC C/O MICHAEL PUIZE ESQ 11755 WILSHIRE BLVD, Ste. 1170 LOS ANGELES CA 90025		<div style="text-align: center;"> Received JAN 31 2007 Kurtzman Carson <small>This Space For Court Use Only</small> </div>	
Telephone Number: (310) 312 1102		Last four digits of account or other number by which creditor identifies debtor: N/A	
Check here <input type="checkbox"/> replaces if this claim <input type="checkbox"/> amends a previously filed claim dated: _____			
1. Basis for Claim <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input checked="" type="checkbox"/> Other Legal malpractice claim- pending			
<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (fill out below) Last four digits of your SS #: _____ Unpaid compensation for services performed from _____ to _____ (date) (date)			
2. Date debt was incurred: N/A Claim awaiting trial- malpractice occurred on May 20, June 28 and June 29, 2003		3. If court judgment, date obtained:	
4. Classification of Claim. Check the appropriate box or boxes that best describe your claim and state the amount of the claim at the time case filed. See reverse side for important explanations.			
Unsecured Nonpriority Claim \$ <u>unliquidated and presently undetermined but in excess of \$25,000,000.00</u> <input checked="" type="checkbox"/> Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority.		Secured Claim. <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Collateral \$ _____ Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____	
Unsecured Priority Claim. <input type="checkbox"/> Check this box if you have an unsecured claim, all or part of which is entitled to priority Amount entitled to priority \$ _____ Specify the priority of the claim: <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,000)* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).		<input type="checkbox"/> Up to \$2,225* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____). <small>* Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>	
5. Total Amount of Claim at Time Case Filed: <u>\$unliquidated & presently undetermined but in excess of \$25 million</u> <div style="display: flex; justify-content: space-between; font-size: small;"> (Unsecured) (Secured) (Priority) (Total) \$25,000,000. </div> <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.			
6. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. 7. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. Amended Complaint is attached as Exhibit 1.			
8. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim Attached.			
Date: 1-26-07	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): Law Offices of Michael J. Puize on behalf of creditor SENORX Geraldine Weiss Esq.		

Penalty for presenting fraudulent claim: Fine up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571



0612226061213131726000557

CERTIFICATE OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California, by WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER and am over the age of 18 and not a party to the within action. My business address is 555 South Flower Street, Suite 2900, Los Angeles, CA 90071.

On **July 11, 2007**, I served the DECLARATION OF **DIANA M. ESTRADAD** IN SUPPORT OF DEFENDANTS' NOTICE OF AND MOTION TO TRANSFER VENUE PURSUANT TO 28 U.S.C. §1412 on the interested parties in this action by email to dweiss@mjlplaw.net [Geraldine Weiss] mpiuze@mjlplaw.net [Michael J. Piuze] and by placing XX a true copy ____ the original thereof enclosed in a sealed envelope addressed as follows:

Law Offices of Michael J. Piuze Michael J. Piuze, SBN 51342 Geraldine Weiss, SBN 168455 11755 Wilshire Blvd., Suite 1170 Los Angeles, California 90025	Attorney for Plaintiff Senorx, Inc. Ph: 310-312-1102 Fx: 310-473-0708
--	--

☒ **BY OVERNIGHT MAIL** I placed true and correct copies of said document(s) in sealed envelopes addressed as stated on the attached service list and caused such envelopes to be sent by overnight mail via Federal Express.

X **(Federal)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on **July 11, 2007**, at Los Angeles, California.

Kathleen Spendlove

K Spendlove
/s/